

REMARKS

Claim 1 is currently amended. Applicant respectfully submits that the amendments contained herein are fully supported by the Specification as originally filed and do not include new matter.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-2 and 32 were rejected under 35 U.S.C. § 102(b) as being anticipated by Ujita et al. (U.S. Patent No. 5,784,088). Claims 1-5, 9-12, 19-20, 22-23, 28, and 32-33 were rejected under 35 U.S.C. § 102(e) as being anticipated by Ardito et al. (U.S. Patent No. 6,776,479). Applicant respectfully traverses.

Claim 1, as currently amended, includes first and second vents that communicatively couple a compartment to an atmosphere surrounding an exterior of the ink reservoir, where the first and second vents remain open to the atmosphere. The Examiner indicated an air-communicating port 48 of Ujita et al. as corresponding to the first vent of claim 1 and air-communicating port 81 of Ujita et al. as corresponding to the second vent of claim 1 (see Figure 16). However, as shown in Figure 16 and discussed in column 24, lines 39-41, projections 82 on the recording head 2 shut the air-communicating ports 81 of the ink cartridge 3. Therefore, Ujita et al. does not include each and every recitation of claim 1, so claim 1 should be allowed.

Claim 2 depends from claim 1 and thus is allowable for at least the same reason as claim 1. Therefore, claim 2 should be allowed.

Claim 32 includes directing first and second airflows substantially simultaneously into a compartment of the ink reservoir from an atmosphere surrounding an exterior of the ink reservoir when a pressure of the atmosphere is greater than a pressure in the compartment, where the first airflow is directed through a cover of the ink reservoir and the second airflow is directed through a wall of the ink reservoir opposite the cover and not through an interconnect port in the wall; and directing the first and second airflows substantially simultaneously from the compartment to the atmosphere when the pressure of the atmosphere is less than the pressure in the compartment. There is no indication of this in Ujita et al.

Ujita et al. (see Figures 17A-17B and column 24, lines 35-49, and column 25, lines 2-5) uses first and the second air communicating paths for venting air as recording head 2 is received in a portion an ink cartridge 3. However, there is no indication of directing first and

second airflows substantially simultaneously into a compartment of the ink reservoir from an atmosphere surrounding an exterior of the ink reservoir when a pressure of the atmosphere is greater than a pressure in the compartment because projections 82 on the recording head 2 shut one of first and the second air communicating paths after recording head 2 is received in the portion of ink cartridge 3, as shown in Figure 16 and discussed in column 24, lines 39-41. Therefore, Ujita et al. does not include each and every recitation of claim 32, so claim 32 should be allowed.

Claims 1 and 22 each include a first vent disposed in a cover of an ink reservoir and a second vent passing through a wall of the ink reservoir that is opposite the cover and that is in addition to an interconnect port passing through the wall. Ardito et al. does not include a second vent passing through a wall of the ink reservoir that is opposite a cover and that is in addition to an interconnect port passing through the wall. The Examiner indicated a hole 218 of Ardito et al. as corresponding to the first vent and redundant vent channels 220 formed on the floor of the container of Ardito et al. (see column 5, lines 12-13) as corresponding to the second vent. However, there is no indication in Ardito et al. of redundant vent channels 220 passing through the floor of the container in addition to interconnect port 212 (Figure 5) passing through the floor. Therefore, Ardito et al. does not include each and every recitation of claim 1 or claim 19, so claims 1 and 19 should be allowed.

Claims 2-5 depend from claim 1 and thus are allowable for at least the same reason as claim 1. Claim 23 depends from claim 22 and thus is allowable for at least the same reason as claim 22. Therefore, claims 2-5 and 23 should be allowed.

Claim 9 includes a first labyrinth vent having a first vent hole passing through a cover of the ink reservoir, and a second labyrinth vent having a second vent hole passing through a wall of the ink reservoir that is opposite the cover and a second elongated vent path that is formed in an exterior surface of the wall. Ardito et al. does not include a second elongated vent path that is formed in an exterior surface of a wall opposite a cover. The Examiner indicated redundant vent channels 220 formed on the floor of the container of Ardito et al. (see column 5, lines 12-13) as corresponding to the second elongated vent path. Applicant contends that redundant vent channels 220 are formed in the interior of the container of Ardito et al. and correspond to the notches between capillary material 222 and an interior surface of the bottom of the container (see Figure 5). Moreover, the Merriam-Webster Online Dictionary defines floor as the lower inside surface of a hollow structure. Therefore,

Ardito et al. does not include each and every recitation of claim 9, so claim 9 should be allowed.

Claims 10-12 depend from claim 9 and thus are allowable for at least the same reason as claim 9. Therefore, claims 10-12 should be allowed.

Claim 19 includes means for directing a second airflow into a compartment of an ink reservoir through a wall of the ink reservoir that is opposite a cover of the ink reservoir substantially simultaneously with a first airflow through the cover from an atmosphere when the pressure of the atmosphere is greater than the pressure in the compartment and from the compartment to the atmosphere through the wall substantially simultaneously with the first airflow when the pressure of the atmosphere is less than the pressure in the compartment, where the second airflow directing means is separate from an interconnect port passing through the wall. Ardito et al. does not include a second airflow directing means that is separate from an interconnect port passing through a wall of an ink reservoir that is opposite a cover of the ink reservoir. The Examiner indicated redundant vent channels 220 formed on the floor of the container of Ardito et al. (see column 5, lines 12-13) as corresponding to the second airflow directing means. Applicant contends that redundant vent channels 220 are formed in the interior of the container of Ardito et al. and correspond to the notches between capillary material 222 and an interior surface of the bottom of the container (see Figure 5). Moreover, the Merriam-Webster Online Dictionary defines floor as the lower inside surface of a hollow structure. Therefore, redundant vent channels 220 cannot direct an airflow into the container through the bottom of the container. Therefore, Ardito et al. does not include each and every recitation of claim 19, so claim 19 should be allowed.

Claim 20 depends from claim 19 and thus is allowable for at least the same reason as claim 19. Therefore, claim 20 should be allowed.

Claim 28 includes forming a second elongated vent path in an exterior surface of a wall of an ink reservoir opposite a cover of the reservoir between an atmosphere and a second vent hole passing through the wall for communicatively coupling the second vent hole to the atmosphere. Ardito et al. does not include this. The Examiner indicated redundant vent channels 220 formed on the floor of the container of Ardito et al. (see column 5, lines 12-13) as corresponding to the second elongated vent path. Applicant contends that redundant vent channels 220 are formed in the interior of the container of Ardito et al. and correspond to the notches between capillary material 222 and an interior surface of the bottom of the container

(see Figure 5). Moreover, the Merriam-Webster Online Dictionary defines floor as the lower inside surface of a hollow structure. Therefore, Ardito et al. does not include each and every recitation of claim 28, so claim 28 should be allowed.

Claim 32 includes directing a first airflow through a cover of an ink reservoir and substantially simultaneously directing a second airflow through a wall of the ink reservoir opposite the cover and not through an interconnect port in the wall. Ardito et al. does not include substantially simultaneously directing a second airflow through a wall of the ink reservoir opposite the cover and not through an interconnect port in the wall. The Examiner indicated that redundant vent channels 220 formed on the floor of the container of Ardito et al. (see column 5, lines 12-13) can direct a second airflow through the floor of the container and not through an interconnect port 212 that passes through the floor of the container. However, there is no indication in Ardito et al. of redundant vent channels 220 passing through the floor of the container. Therefore, redundant vent channels 220 cannot direct a second airflow through the floor of the container and not through an interconnect port 212. Therefore, Ardito et al. does not include each and every recitation of claim 32, so claim 32 should be allowed.

Claim 33 depends from claim 32 and thus is allowable for at least the same reason as claim 32. Therefore, claim 33 should be allowed.

Claim Rejections Under 35 U.S.C. § 103

Claims 7, 15, 21, 24-25, 27, 31, and 34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ardito et al. (U.S. Patent No. 6,776,479) in view of Wantanabe (U.S. Patent No. 6,247,804) in further view of Childers et al. (U.S. Patent No. 6,402,306).

Claims 1, 9, 19, 22, 28, and 32 are patentably distinct from Ardito et al.. Moreover, Ardito et al. in view of Wantanabe in further view of Childers et al. fails to overcome the deficiencies of Ardito et al. with respect to claims 1, 9, 19, 22, 28, and 32. Therefore, claims 1, 9, 19, 22, 28, and 32 are allowable over Ardito et al. in view of Wantanabe in further view of Childers et al. Moreover, as indicated by the Examiner, Ardito et al. qualifies as prior art only under 35 U.S.C. § 102(e). Applicant attests that the same person owned Ardito et al. and the claimed invention of present application at the time the claimed invention was made. Therefore, Ardito et al. does not preclude patentability of claims 1, 9, 19, 22, 28, and 32 under 35 U.S.C. § 103(a) (35 U.S.C. § 103(c)).


Claim 7 depends from claim 1 and thus is allowable for at least the same reason as claim 1. Claim 15 depends from claim 9 and thus is allowable for at least the same reason as claim 9. Claim 21 depends from claim 19 and thus is allowable for at least the same reason as claim 19. Claims 24-25 and 27 depend from claim 22 and thus are allowable for at least the same reason as claim 22. Claim 31 depends from claim 28 and thus is allowable for at least the same reason as claim 28. Claim 34 depends from claim 32 and thus is allowable for at least the same reason as claim 32. Therefore, claims 7, 15, 21, 24-25, 27, 31, and 34 are allowable over Ardito et al. in view of Wantanabe in further view of Childers et al. Moreover, for the reasons given above, Ardito et al. does not preclude patentability of claims 7, 15, 21, 24-25, 27, 31, and 34 under 35 U.S.C. § 103(a) (35 U.S.C. § 103(c)).

CONCLUSION

In view of the above remarks, Applicant believes that the claims are in condition for allowance and respectfully requests a Notice of Allowance be issued in this case. If the Examiner has any questions regarding this application, please contact the undersigned at (612) 312-2208.

Respectfully submitted,

Date: 05-02-05



Tod A. Myrum
Reg. No. 42,922

Attorneys for Applicant:
HEWLETT PACKARD COMPANY
Intellectual Property Administration
3404 E. Harmony Rd.
Fort Collins, CO 80527-2400